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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 JOSE SOTELO, individually,

9 Plaintiff,

10 vs.

11 STATE FARM FIRE AND CASUALTY
 12 COMPANY, and DOES I through, and ROE
 13 CORPORATIONS XI through XX, inclusive,

14 Defendant.

CASE NO.: 2:23-cv-01541-MMD-DJA

**REVISED STIPULATED DISCOVERY
 PLAN AND SCHEDULING ORDER**

**SUBMITTED IN COMPLIANCE WITH
 LR 26-1(e)**

14
 15 Plaintiff, JOSE SOTELO (“Plaintiff”), by and through his counsel of record, ANGULO
 16 LAW GROUP, and Defendant, STATE FARM FIRE AND CASUALTY COMPANY
 17 (“Defendant”), by and through its counsel of record, HARPER | SELIM, hereby stipulate and agree
 18 to the following Joint Discovery Plan and Scheduling Order:

19 1. Meeting: Pursuant to Fed. R. Civ. P. 26(f) and LR 26-1(d), a meeting was held on
 20 November 3, 2023 and conducted by and between Peter M. Angulo, Esq. on behalf of Plaintiff and
 21 James E. Harper, Esq. on behalf of Defendant.

22 2. Pre-Discovery Disclosures: Pursuant to Fed. R. Civ. P. Rule 26(a)(1), the parties
 23 have served their initial disclosures, including any Computation(s) of Damages required
 24 pursuant to Fed. R. Civ. P. 26(a)(i)(A)(iii).

25 3. Areas of Discovery: The parties agree that the areas of discovery should include
 26 all claims and defenses allowed pursuant to the Federal Rules of Civil Procedure.

27 4. Discovery Cut-Off Date: The last day to conduct discovery, which is one hundred

1 eighty (180) days from September 28, 2023, shall be March 26, 2024.

2 5. Amending The Pleading And Adding Parties: The last day to file any motion(s) to
 3 amend pleadings or to add parties, which is ninety (90) days before the discovery cut-off deadline,
 4 shall be December 27, 2023.

5 6. FRCP 26(A)(2) Disclosure (Experts):

6 a. The last day to disclose initial expert witnesses, which is sixty (60) days
 7 before the discovery cut-off deadline, shall be January 26, 2024.

8 b. The last day to disclose rebuttal expert witnesses, which is (30) days after the
 9 deadline to disclose initial expert witnesses, shall be February 26, 2024¹.

10 7. Dispositive Motions: The last day to file any dispositive motions, which is thirty
 11 (30) days after the discovery cut-off deadline, shall be April 25, 2024.

12 8. Pre-Trial Order: The Joint Pretrial Order shall be filed by May 28, 2024², which
 13 is not more than thirty (30) days after the date set for filing dispositive motions in the case. This
 14 deadline is suspended if dispositive motions are timely filed.

15 9. Fed. R. Civ. P. 26(a)(3) Disclosures: Unless the discovery plan otherwise provided
 16 and the Court so orders, the disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections
 17 thereto shall be included in the pretrial order.

18 10. Extensions or Modifications of the Discovery Plan and Scheduling Order: LR
 19 ~~26-3~~
~~26-4~~ governs modifications or extensions of this Discovery Plan and Scheduling Order. Any
 20 stipulation or motion to extend a deadline set forth in the Discovery Plan and Scheduling Order
 21 must be made not later than 21 days before the subject deadline. Any stipulation or motion to
 22 extend the discovery cut-off deadline must be made no later than March 5, 2024, 21 days
 23 before the discovery cut-off date.

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25 ¹ This deadline falls on Sunday, February 25, 2024. As a result, this deadline extends to the next court day of Monday,
 26 February 26, 2024, by operation of NRCP 6.

27 ² This deadline falls on Saturday, May 25, 2024. As a result, this deadline extends to the next court day of Tuesday, May
 28, 2024, by operation of NRCP 6.

1 11. Court Conferences: If the Court has questions regarding the dates proposed by
2 the parties, the parties request a conference with the Court before entry of the Scheduling
3 Order. If the Court does not have questions, the parties do not request a conference with the
4 Court.

5 12. Format of Discovery: Pursuant to the electronic discovery amendments to the
6 Federal Rules of Civil Procedure effective December 1, 2006, the parties addressed the e-
7 discovery issues pertaining to the format of discovery at the Rule 26(f) conference. The parties
8 do not anticipate discovery of native files or metadata at this time, but each party reserves the
9 right to make a showing for the need of such electronic data as discovery progresses.

10 13. Rule 35 Medical Examination: Defendant reserves the right to have Plaintiff
11 undergo a Rule 35 medical examination performed by Defendant's doctor(s), at a time to be
12 determined by the parties. Said medical examination is to proceed pursuant to Rule 35 of the
13 Federal Rules of Civil Procedure. This agreement is not to be construed as a waiver of any valid
14 objections thereto.

15 14. Alternative Dispute Resolution: The parties certify that they met and
16 conferred about the possibility of using alternative dispute resolution processes, including
17 mediation, arbitration, and, if applicable, early neutral evaluation.

18 15. Alternative Forms of Case Disposition: The parties certify that they
19 considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P.
20 73, and the use of the Short Trial Program (General Order 2013-01).

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1 16. Electronic Evidence: The parties certify that they may present evidence in electronic
2 format to jurors for the purpose of jury deliberations in compliance with the Court's electronic jury
3 evidence display system.

4 DATED this 20th day of November, 2023.

5 DATED this 20th day of November, 2023.

6 **ANGULO LAW GROUP**

7 **HARPER | SELIM**

8 */s/ Peter M. Angulo*

9 */s/ James E. Harper*

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20 **ORDER**

21 IT IS SO ORDERED.

22 
23 _____
24 DANIEL J. ALBREGTS
25 UNITED STATES MAGISTRATE JUDGE
26 DATED: 11/21/2023

27 HARPER | SELIM
28 CIVIL AND COMMERCIAL LITIGATION